IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

WP(C).No. 11326 of 2004(W)

AGAINST THE ORDER IN EP.NO.99/2003 IN OS.18/2001 of SUB COURT, MANJERI
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PETITIONERS:
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1. V. MURALI, 39 YEARS, S/O. RAMAKRISHNAN PROPRIETOR, MATHA IMPLEMENTS, PONAD, KOONATHARA.

2. K. BALAKRISHNAN, S/O. RAMAN EZHUTHASSAN, KALATHINGAL HOUSE, P.O. MANKADA, PERINTHALMANNA TALUK.

BY ADV. SRI.M.V.BOSE
SRI.VINOD MADHAVAN
SMT.NISHA BOSE

RESPONDENTS:

CATHOLIC SYRIAN BANK LTD., REPRESENTED BY ITS BRANCH MANAGER, SHORANUR BRANCH.

BY ADV. SRI.PETER THARAKAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/06/2007, THE COURT ON 31/05/2007 DELIVERED THE FOLLOWING:

APPENDIX

EXT. P1 TRUE COPY OF JUDGMENT DTD.25.3.02 IN O.S. 18/01 ON THE FILE OF SUB COURT, MANJERI.

EXT.P3 TRUE COPY OF THE REPRESENTATION DTD. 25.1.04 PREFERRED BEFORE THE BANK

[True copy]

P.A. to Judge.

M.N. KRISHNAN, J.

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W.P.C. NO. 11326 OF 2004

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Dated this the 31st day of May, 2007.

J U D G M E N T

The learned counsel for the respondents submits that since the decree amount involved is more than 10 lakh rupees and the jurisdiction to execute the decree only lies with the Debt Recovery Tribunal, the execution petition had been withdrawn and fresh execution petition had been filed before the Debt Recovery Tribunal for realisation of the amount. In the light of the said submission the reliefs sought for in this writ petition has become infructuous and therefore the writ petition is dismissed.

M.N. KRISHNAN, JUDGE.

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